THE HON'BLE MR. JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.8444 of 2005

Date:13.12.2007

Between:
Katchalla Appala Naidu and another.

... Petitioners

AND
The District Collector, Visakhapatnam
and two others.

... Respondents

Counsel for the petitioner: None appeared.

Counsel for the respondents:. Government Pleader for
Assignment for
R.1 and R.2.
Sri K. Subrahmanyam for
R.3.

-

-

-

-

-

-

-

-

-

-

-

-

-

-

THE HONOURABLE MR.JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.8444 of 2005

ORDER:-

This Writ Petition is filed for the following substantive relief:

> "... to issue a Writ of Mandamus directing the respondents to issue D-form pattas to the petitioners in respect of the land an extent of Ac.3.16 cents in Sy.No.554/1 and an extent of Ac.3.40 cents in S.No.544/1 respectively of Boorugupalem village, Makavarapalem Mandal of Visakhapatnam District by declaring the action of the respondents in threatening to evict the petitioners from the said land and the inaction of the respondents in not issuing D-form pattas in favour of the respondents is highly arbitrary, illegal, violative of principles of natural justice and violative of Art.14 and 21 of the Constitution of India".

In the forenoon when the Writ Petition was called, there was no representation on behalf of the petitioners. In the afternoon a representation was made on behalf of Sri C.Ramachandra Raju, leraned counsel for the petitioners, for adjournment. The proceedings of the Court show that on 16-11-2007 there was no representation for the petitioners and, hence, the Writ Petition was posted "for dismissal" on 22-11-2007. On 22-11-2007 the learned counsel for the petitioners sought for adjournment. His request was accepted and, accordingly, the matter was adjourned to 26-11-2007. Again on the said date, a request was made by the learned counsel for the petitioners for adjournment. Accepting his request, the Writ Petition was adjourned to 27-11-2007. On 27-11-2007 a week's time for filing reply was again sought by the learned counsel for the petitioners, which was accepted and, accordingly, the Writ

Petition was posted to 6-12-2007, on which date again the Writ Petition was adjourned to today at the request of the learned counsel for the petitioners.

The aforementioned facts clearly indicate that the petitioners are seeking to procrastinate the litigation and are not interested in the adjudication of the case on merits.

The Writ Petition is, therefore, dismissed for non-prosecution.

As a sequel to dismissal of the Writ Petition, WPMP No.11164 of 2005 is dismissed and the interim direction granted on 15-4-2005 is vacated.

C.V.NAGARJUNA REDDY,J
13-12-2007
MNR